

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2005 JUL 19 A 9:51

CLERK *[Signature]*
S.D. DIST. OF GA.

CURTIS WEDO POOLE,

Petitioner,

v.

CIVIL ACTION NO. CV204-213

DONALD EDWARD BARROW,
Warden,

Respondent.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Respondent's Motion to Dismiss is **GRANTED**. The petition for writ of *habeas corpus*, filed pursuant to 28 U.S.C. § 2254, is **DISMISSED**, without prejudice, due to Poole's failure to exhaust his state remedies. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 19th day of July, 2005.

[Signature]
JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

United States District Court
Southern District of Georgia

POOLE
_____)

vs)

BARROW
_____)

CASE NUMBER CV204-213

DIVISION BRUNSWICK

The undersigned, a regularly appointed and qualified deputy in the office of the Clerk of this district, while conducting the business of the Court for said division, does hereby certify the following:

1. Pursuant to the instructions from the Court and in the performance of my official duties, I personally placed in the United States Mail a sealed envelope, and properly addressed to each of the persons, parties or attorneys named below; and
2. That the aforementioned enveloped contained a copy of the document dated 7/19/05, which is part of the official record of this case.

Date of Mailing: 7/19/05

Date of Certificate ☒ same date, or _____

Scott L. Poff, Clerk

By: _____

Sherry Taylor, Deputy Clerk

Name and Address

Chad Jacobs

Curtis Poole, GDC 1147009, Lowndes State Prison, P.O. box 5367, Valdosta, GA 31603

- ☐ Copy placed in Minutes
☐ Copy given to Judge
☒ Copy given to Magistrate